

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
- WICHITA FALLS DIVISION -**

CORNELIUS CAMPBELL BURGESS,

Plaintiff,

v.

**FEDERAL DEPOSIT INSURANCE
CORPORATION, et al.,**

Defendants.

CIVIL NO. 7:22-cv-00100-O

The Honorable Reed O'Connor,
United States District Judge

DEFENDANTS' MOTION FOR RECONSIDERATION

Defendants Federal Deposit Insurance Corporation ("FDIC"), Martin J. Gruenberg, Michael J. Hsu, Rohit Chopra, and Jennifer Whang, respectfully move for reconsideration of the Court's Order of November 6, 2022, for the reasons set forth in their memorandum of law contemporaneously filed herewith (ECF No. 33).

Respectfully submitted,

FEDERAL DEPOSIT INSURANCE CORPORATION
Andrew J. Dober
Senior Counsel

Bryce C. Quine (Tex. No. 24032976)

/s/ Andrew A. Nicely
Andrew A. Nicely (Va. No. 41750)

Arthur E. Anthony (Tex. No. 24001661)
600 North Pearl Street, Suite 700
Dallas, Texas 75201
Telephone: (972) 761-8520
Alternate Tel.: (972) 761-2237
Email: bquine@fdic.gov
Email: aranthony@fdic.gov

Daniel Kurtenbach
3501 Fairfax Drive, D-7028
Arlington, VA 22226-3500
Tel.: (703) 516-5729
Fax: (703) 562-2477
Email: anicely@fdic.gov

Counsel for Defendants

DATED: November 11, 2022

CERTIFICATE OF CONFERENCE

Pursuant to Local Civil Rule 7.1, I certify that, on November 11, 2022, FDIC attorney Andrew Dober contacted Manuel Berrelez and all counsel for plaintiff and defendants by electronic mail to ascertain plaintiff's position on the FDIC's Motion for Reconsideration. Later on November 11, 2022, Mr. Berrelez informed all counsel for defendants that plaintiff opposed reconsideration.

FEDERAL DEPOSIT INSURANCE CORPORATION
Andrew J. Dober
Senior Counsel

/s/ Andrew A. Nicely
Andrew A. Nicely (Va. No. 41750)
3501 Fairfax Drive, D-7028
Arlington, VA 22226-3500
Tel.: (703) 516-5729
Fax: (703) 562-2477
Email: anicely@fdic.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 11, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel and parties of record registered to receive such notices.

/s/ Andrew A. Nicely
Andrew A. Nicely